

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

L. YVONNE BROWN,

Plaintiff,

v.

Case No.: 2:19-cv-739-FtM-29MRM

FORT MYERS REEF ACQUISITIONS,
LLC, COASTAL RIDGE
MANAGEMENT, LLC, STACY HESS and
CARMINE MARCENO,

Defendants.

REPORT AND RECOMMENDATION

This matter is before the Undersigned *sua sponte*. On December 2, 2019, the Court denied without prejudice Plaintiff's application to proceed *in forma pauperis*. (Doc. 11). That Order also required Plaintiff to renew her motion for leave to proceed *in forma pauperis* or otherwise pay the requisite filing fee. (*Id.* at 5-6). Plaintiff filed an Amended Complaint on February 27, 2020, but did not renew her motion to proceed *in forma pauperis* or pay the filing fee. (*See* Doc. 12). Thereafter, the Court entered an Order to Show Cause directing Plaintiff to show cause as to why she failed to comply with the December 2, 2019 Order (Doc. 11), no later than April 15, 2020. (Doc. 16 at 3).

As of the date of this Report and Recommendation, Plaintiff has neither renewed her motion to proceed *in forma pauperis*, paid the filing fee, nor attempted to show cause as to why she has failed to do either. The Court previously warned Plaintiff that failure to comply timely with the Court's orders would result in the Undersigned recommending to the presiding United States District Judge that this action be dismissed without further notice. (Doc. 11 at 6). The Order to Show Cause also warned Plaintiff that her failure to comply with that Order would

result in the Undersigned recommending to the presiding United States District Judge that this action be dismissed. (Doc. 16 at 3). Therefore, because Plaintiff is failing to prosecute this action and has failed to comply with the Court's Orders (Docs. 11, 16)—and has not shown cause for her failure to comply—the Undersigned recommends this action be dismissed.

CONCLUSION

For these reasons, the Undersigned **RESPECTFULLY RECOMMENDS** that this action be **DISMISSED**.

RESPECTFULLY RECOMMENDED in Chambers in Ft. Myers, Florida on April 17, 2020.



MAC R. MCCOY
UNITED STATES MAGISTRATE JUDGE

NOTICE TO PARTIES

A party has fourteen days from this date to file written objections to the Report and Recommendation's factual findings and legal conclusions. A party's failure to file written objections waives that party's right to challenge on appeal any unobjected-to factual finding or legal conclusion the district judge adopts from the Report and Recommendation. *See* 11th Cir. R. 3-1.

Copies furnished to:

Counsel of Record
Unrepresented Parties